## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA	)
	Plaintiff,	) 8:08CR228 )
	vs.	) DETENTION ORDER
KR	RISTA MINK,	
	Defendant.	}
A.	Order For Detention After waiving a detention hearing pursuant Act on June 26, 2008, the Court orders the atto 18 U.S.C. § 3142(e) and (i).	t to 18 U.S.C. § 3142(f) of the Bail Reform above-named defendant detained pursuant
B.	conditions will reasonably assure the X By clear and convincing evidence the	
C.	contained in the Pretrial Services Report, X (1) Nature and circumstances of the X (a) The crime: a conspiracy I) in violation of 21 U.S.C years imprisonment and possession of pseudomethamphetamine (Couyears imprisonment; manufacture of metham U.S.C. § 841(a)(1) car imprisonment and a max (b) The offense is a crime of (c) The offense involves a result of the evidence against the control of the defendant of the	ne offense charged: It to manufacture methamphetamine (Count C. § 846 carries a minimum sentence of ten and a maximum of life imprisonment; the pephedrine with intent to manufacture and II) carries a maximum sentence of twenty and the manufacture and attempted aphetamine (Count III) in violation of 21 cries a minimum sentence of five years imum sentence of forty years imprisonment. If violence, harcotic drug, arge amount of controlled substances, to wit:    ainst the defendant is high.   of the defendant including:   appears to have a mental condition which ther the defendant will appear.   has no family ties in the area.   has no substantial financial resources.   s not a long time resident of the community.   does not have any significant community.

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			The defendant has a prior record of failure to appear at court
		(h)	proceedings.
		(D)	At the time of the current arrest, the defendant was on:  Probation
			Parole
			Release pending trial, sentence, appeal or completion of
			sentence.
		(c)	Other Factors:
		(0)	The defendant is an illegal alien and is subject to
			deportation.
			The defendant is a legal alien and will be subject to
			deportation if convicted.
			The Bureau of Immigration and Custom Enforcement
			(BICE) has placed a detainer with the U.S. Marshal.
			Other:
X	(4)	The i	ature and seriousness of the danger posed by the defendant's
	` ,		e are as follows: The nature of the charges in the Indictment, the
		defen	dant's criminal and drug abuse history.
X	(5)		table Presumptions
			ermining that the defendant should be detained, the Court also relied
			following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
			the Court finds the defendant has not rebutted:
	X	(a)	That no condition or combination of conditions will reasonably
			assure the appearance of the defendant as required and the safety
			of any other person and the community because the Court finds that
			the crime involves:
			(1) A crime of violence; or
			(2) An offense for which the maximum penalty is life
			imprisonment or death; or
			X (3) A controlled substance violation which has a maximum
			penalty of 10 years or more; or
			(4) A felony after the defendant had been convicted of two
			or more prior offenses described in (1) through (3)
			above, <u>and</u> the defendant has a prior conviction for one
			of the crimes mentioned in (1) through (3) above which
			is less than five years old and which was committed
		41.	while the defendant was on pretrial release.
	<u>X</u>	(b)	That no condition or combination of conditions will reasonably
			assure the appearance of the defendant as required and the safety
			of the community because the Court finds that there is probable
			cause to believe:
			X (1) That the defendant has committed a controlled
			substance violation which has a maximum penalty of
			10 years or more.
			(2) That the defendant has committed an offense under 18
			U.S.C. § 924(c) (uses or carries a firearm during and in
			relation to any crime of violence, including a crime of
			violence, which provides for an enhanced punishment
			if committed by the use of a deadly or dangerous
			weapon or device).

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- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.
- Pretrial Services shall obtain a substance abuse evaluation and provide a copy of the report to the court and counsel. Thereafter, any party may file a motion to review detention.

DATED: June 26, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge